

MAINE STATE LEGISLATURE

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(After Deadline)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document NO. 1611

H.P. 1181 House of Representatives, May 18, 1987
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Human Resources suggested
and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative BOUTILIER of Lewiston.
Cosponsored by Representative ROLDE of York, Speaker
MARTIN of Eagle Lake and President PRAY of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Authorize Hospitals to Use Magnetic
2 Resonance Imaging Devices Located in
3 Private Physicians' Facilities.
4

5 Be it enacted by the People of the State of Maine as
6 follows:

7 22 MRSA §304-A, sub-§2, as enacted by PL 1981, c.
8 705, Pt. V, §16, is amended to read:

9 2. Acquisitions of major medical equipment. The
10 following acquisitions:

11 A. The acquisition by any person of major medi-
12 cal equipment that will be owned by or located in
13 a health care facility; or

1 B. The acquisition by any person of major medi-
2 cal equipment not owned by or located in a health
3 care facility if:

4 (1) The equipment will not be used to pro-
5 vide services for inpatients of a hospital,
6 but the person fails to file a written no-
7 tice of intent to acquire the equipment at
8 least 60 days prior to entering into a con-
9 tract to acquire the equipment; or

10 (2) The department finds, within 30 busi-
11 ness days after the date it receives a writ-
12 ten notice of intent to acquire the equip-
13 ment, that the equipment will be used to
14 provide services for inpatients of a hospi-
15 tal.

16 There shall be a waiver for the use of major medical
17 equipment on a temporary basis as provided in section
18 308, subsection 4. Notwithstanding the provisions of
19 this subsection, magnetic resonance imaging devices
20 not owned by or located in a health care facility may
21 be used to provide services for inpatients of a
22 hospital;

23 STATEMENT OF FACT

24 Under current law, hospitals which desire to pur-
25 chase a magnetic resonance imaging device must seek
26 approval through the certificate of need process.
27 Physicians in private practice may obtain a magnetic
28 resonance imaging device without certificate of need
29 approval if they are not going to use the device for
30 hospital inpatients. Several physician groups in the
31 State have purchased magnetic resonance imaging de-
32 vices without certificate of need approval. These
33 magnetic resonance imaging devices may not be used to
34 provide services to hospital inpatients. However, no
35 hospital has a magnetic resonance imaging device.
36 This bill allows magnetic resonance imaging devices
37 in physicians' offices to be used to provide services
38 to hospital inpatients, even though they were not
39 purchased with certificate of need approval.

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